IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

NOTICE OF MOTION NO.2179 OF 2006
IN
SUIT NO.586 OF 1987

Thiru R. Govindswamy. ...Plaintiff.
Vs.
Borivali Hosiery Mills. ...Respondents.
....
Mrs.U. K. Shah for the Plaintiff.
Ms. Nasreen Patrawala for the Defendant.
.....

CORAM : DR.D.Y.CHANDRACHUD, J.

July 27, 2006.

P.C.

The Notice of Motion not on Board. By consent taken on Bord.

The circumstances in which the Written Statement could not be filed earlier have been explained by way of an affidavit tendered in the Court. The Written Statement was, in fact, affirmed on 6th July 1991 and a copy thereof was sent to the Advocate for the Plaintiff. The matter was directed to be placed on 7th July 1991, on which date the Written Statement would have been filed. However, it is stated that thereafter the matter did not appear on Board till 30th June 2006. In these circumstances, I am of the view

that sufficient cause has been shown and that the Written Statement may be permitted to be taken on file. The Notice of Motion is made absolute in terms of prayer clauses (a) and (b).

Affidavit in lieu of Examination-in-Chief to be filed within a period of six weeks.

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